

United States Bankruptcy Court
Western District of Pennsylvania

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle):

Max & Erma's, Inc.

Name of Joint Debtor (Spouse) (Last, First, Middle):

All Other Names used by the Debtor in the last 8 years
(include married, maiden, and trade names):All Other Names used by the Joint Debtor in the last 8 years
(include married, maiden, and trade names):Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN
(if more than one, state all)**1397**Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN
(if more than one, state all)Street Address of Debtor (No. and Street, City, and State):
2200 Spring Garden Avenue, 2nd Fl
Pittsburgh, PA

ZIP Code

15212

ZIP Code

County of Residence or of the Principal Place of Business:
Allegheny

County of Residence or of the Principal Place of Business:

Mailing Address of Debtor (if different from street address):

ZIP Code

ZIP Code

Location of Principal Assets of Business Debtor
(if different from street address above):Type of Debtor
(Form of Organization)
(Check one box)

- Individual (includes Joint Debtors)
See Exhibit D on page 2 of this form.
- Corporation (includes LLC and LLP)
- Partnership
- Other (If debtor is not one of the above entities, check this box and state type of entity below.)

Nature of Business
(Check one box)

- Health Care Business
- Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B)
- Railroad
- Stockbroker
- Commodity Broker
- Clearing Bank
- Other

Tax-Exempt Entity
(Check box, if applicable)

- Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).

Chapter of Bankruptcy Code Under Which
the Petition is Filed (Check one box)

- Chapter 7
- Chapter 9
- Chapter 11
- Chapter 12
- Chapter 13

- Chapter 15 Petition for Recognition of a Foreign Main Proceeding
- Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding

Nature of Debts
(Check one box)

- Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."

- Debts are primarily business debts.

Filing Fee (Check one box)

 Full Filing Fee attached

- Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.
- Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.

Check one box:

Chapter 11 Debtors

- Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).
- Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).

Check if:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.

Check all applicable boxes:

- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).

Statistical/Administrative Information

- Debtor estimates that funds will be available for distribution to unsecured creditors.
- Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

THIS SPACE IS FOR COURT USE ONLY

Estimated Number of Creditors

| | | | | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1- 49 | 50- 99 | 100- 199 | 200- 999 | 1,000- 5,000 | 5,001- 10,000 | 10,001- 25,000 | 25,001- 50,000 | 50,001- 100,000 | OVER 100,000 | |

Estimated Assets

| | | | | | | | | | |
|--------------------------|--------------------------|---------------------------|-----------------------------|-------------------------------------|---------------------------------|----------------------------------|-----------------------------------|---------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| \$0 to \$50,000 | \$50,001 to \$100,000 | \$100,001 to \$500,000 | \$500,001 to \$1 million | \$1,000,001 to \$10 million | \$10,000,001 to \$50 million | \$50,000,001 to \$100 million | \$100,000,001 to \$500 million | \$500,000,001 to \$1 billion | More than \$1 billion |

Estimated Liabilities

| | | | | | | | | | |
|--------------------------|--------------------------|---------------------------|-----------------------------|-------------------------------------|---------------------------------|----------------------------------|-----------------------------------|---------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| \$0 to \$50,000 | \$50,001 to \$100,000 | \$100,001 to \$500,000 | \$500,001 to \$1 million | \$1,000,001 to \$10 million | \$10,000,001 to \$50 million | \$50,000,001 to \$100 million | \$100,000,001 to \$500 million | \$500,000,001 to \$1 billion | More than \$1 billion |

| | | |
|---|---------------|--|
| Voluntary Petition <i>(This page must be completed and filed in every case)</i> | | |
| All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) | | |
| Location Where Filed: - None - | Case Number: | Date Filed: |
| Location Where Filed: | Case Number: | Date Filed: |
| Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) | | |
| Name of Debtor: - None - | Case Number: | Date Filed: |
| District: - None - | Relationship: | Judge: |
| Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) | | Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b). |
| <input type="checkbox"/> Exhibit A is attached and made a part of this petition. | | X _____ Signature of Attorney for Debtor(s) (Date) |
| Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No. | | |
| Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) <input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. | | |
| Information Regarding the Debtor - Venue (Check any applicable box) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. | | |
| Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) <input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) <hr/> (Name of landlord that obtained judgment) <hr/> (Address of landlord) <input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and <input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)). | | |

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s)

Max & Erma's, Inc.**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney***X** /s/ Robert O Lampl

Signature of Attorney for Debtor(s)

Robert O Lampl 19809

Printed Name of Attorney for Debtor(s)

Robert O Lampl, Attorney at Law

Firm Name

**960 Penn Avenue, Suite 1200
Pittsburgh, PA 15222**

Address

412-392-0330 Fax: 412-392-0335

Telephone Number

October 23, 2009

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Gary Reinert

Signature of Authorized Individual

Gary Reinert

Printed Name of Authorized Individual

President

Title of Authorized Individual

October 23, 2009

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

X

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

United States Bankruptcy Court
Western District of Pennsylvania

In re Max & Erma's, Inc.

Debtor(s)

Case No.

Chapter

11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

| (1) | (2) | (3) | (4) | (5) |
|---|--|---|--|---|
| <i>Name of creditor and complete mailing address including zip code</i> | <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i> | <i>Amount of claim [if secured, also state value of security]</i> |
| COMDATA STORED VALUE SOLUTIONS LOCKBOX #3802 Chicago, IL 60686 | COMDATA STORED VALUE SOLUTIONS LOCKBOX #3802 Chicago, IL 60686 | Business Debt | | 31,702.62 |
| CRESTVIEW HILLS TOWN CENTER 3805 EDWARDS ROAD SUITE 700 Cincinnati, OH 45209 | CRESTVIEW HILLS TOWN CENTER 3805 EDWARDS ROAD SUITE 700 Cincinnati, OH 45209 | Business Debt | | 22,022.00 |
| DEATON'S MECHANICAL COMPANY INC 1435 BROOKVILLE WAY SUITE J Indianapolis, IN 46239 | DEATON'S MECHANICAL COMPANY INC 1435 BROOKVILLE WAY SUITE J Indianapolis, IN 46239 | Business Debt | | 34,585.05 |
| ECOLAB PEST ELIM. BOX 6007 Grand Forks, ND | ECOLAB PEST ELIM. BOX 6007 Grand Forks, ND | Business Debt | | 73,924.46 |
| ENGINEERING EXCELLENCE INC. P.O. BOX 636294 Cincinnati, oh 45263 | ENGINEERING EXCELLENCE INC. P.O. BOX 636294 Cincinnati, oh 45263 | Business Debt | | 97,705.06 |
| FFCA 8377 E.HARTFORD DR ST.200 SCOTTSDALE,, AZ 85255 | FFCA 8377 E.HARTFORD DR ST.200 SCOTTSDALE,, AZ 85255 | Business Debt | | 1,704,373.00 |
| GCS SERVICE, INC. P.O. BOX 64373 St. Paul, MN 55164 | GCS SERVICE, INC. P.O. BOX 64373 St. Paul, MN 55164 | Business Debt | | 41,545.93 |
| LIEBERMAN RESEARCH WORLDWIDE 1900 AVENUE OF THE STARS, 15TH Los Angeles, CA 90067 | LIEBERMAN RESEARCH WORLDWIDE 1900 AVENUE OF THE STARS, 15TH Los Angeles, CA 90067 | Business Debt | | 22,400.00 |
| MATRIX MEDIA SERVICES, INC. 463 EAST TOWN STREET SUITE 200 Columbus, OH 43215 | MATRIX MEDIA SERVICES, INC. 463 EAST TOWN STREET SUITE 200 Columbus, OH 43215 | Business Debt | | 20,745.00 |

B4 (Official Form 4) (12/07) - Cont.

In re Max & Erma's, Inc.

Case No. _____

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS
(Continuation Sheet)

| (1) <i>Name of creditor and complete mailing address including zip code</i> | (2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | (3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | (4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i> | (5) <i>Amount of claim [if secured, also state value of security]</i> |
|--|---|--|---|--|
| MC Q CLEAN, LLC 4076 FISHER ROAD Columbus, OH 43228 | MC Q CLEAN, LLC 4076 FISHER ROAD Columbus, OH 43228 | Business Debt | | 34,152.19 |
| MILLER'S TEXTILE SERVICES P.O. BOX 239 Wapakoneta, OH 45895 | MILLER'S TEXTILE SERVICES P.O. BOX 239 Wapakoneta, OH 45895 | Business Debt | | 61,418.35 |
| MONROE MECHANICAL INC. P.O.BOX 380 Monroe, OH 45050 | MONROE MECHANICAL INC. P.O.BOX 380 Monroe, OH 45050 | Business Debt | | 95,972.55 |
| NATIONAL FIRE SERVICES 1425 TRI-STATE PKWY SUITE 160 Gurnee, IL 60031 | NATIONAL FIRE SERVICES 1425 TRI-STATE PKWY SUITE 160 Gurnee, IL 60031 | Business Debt | | 21,183.90 |
| OHIO DEPT OF TAXATION PO BOX 530 Columbus, OH 43216 | OHIO DEPT OF TAXATION PO BOX 530 Columbus, OH 43216 | Business Debt | | 1,100,000.00 |
| PA DEPT OF REVENUE BUREAU OF COLLECTIONS AND TAXPAYER SERVI PO BOX 281041 Harrisburg, pa 17128 | PA DEPT OF REVENUE BUREAU OF COLLECTIONS AND TAXPAYER SERVI PO BOX 281041 Harrisburg, pa 17128 | Business Debt | | 300,000.00 |
| PC MALL FILE 55327 Los Angeles, CA 90074 | PC MALL FILE 55327 Los Angeles, CA 90074 | Business Debt | | 43,285.03 |
| SIGNCOM INC. 527 WEST RICH STREET Columbus, oh 43215 | SIGNCOM INC. 527 WEST RICH STREET Columbus, oh 43215 | Business Debt | | 20,514.84 |
| STATE OF MICHIGAN REVENUE MICHIGAN DEPARTMENT OF TREASURY PO BOX 30199 Lansing, MI 48909 | STATE OF MICHIGAN REVENUE MICHIGAN DEPARTMENT OF TREASURY PO BOX 30199 Lansing, MI 48909 | Business Debt | | 190,000.00 |
| SYSSCO CENTRAL WAREHOUSE P.O. BOX 201276 Dallas, tx 75320 | SYSSCO CENTRAL WAREHOUSE P.O. BOX 201276 Dallas, tx 75320 | Business Debt | | 28,617.34 |
| UNIFIRST CORPORATION 1150 SECOND AVENUE New Kensington, PA 15068 | UNIFIRST CORPORATION 1150 SECOND AVENUE New Kensington, PA 15068 | Business Debt | | 19,993.63 |

B4 (Official Form 4) (12/07) - Cont.
In re Max & Erma's, Inc.

Case No. _____

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS
(Continuation Sheet)

**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the President of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date October 23, 2009

Signature /s/ Gary Reinert
Gary Reinert
President

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

COMDATA STORED VALUE SOLUTIONS
LOCKBOX #3802
Chicago, IL 60686

CRESTVIEW HILLS TOWN CENTER
3805 EDWARDS ROAD SUITE 700
Cincinnati, OH 45209

DEATON'S MECHANICAL COMPANY INC
1435 BROOKVILLE WAY SUITE J
Indianapolis, IN 46239

ECOLAB PEST ELIM.
BOX 6007
Grand Forks, ND

ENGINEERING EXCELLENCE INC.
P.O. BOX 636294
Cincinnati, oh 45263

FFCA
8377 E. HARTFORD DR ST. 200
SCOTTSDALE,, AZ 85255

GCS SERVICE, INC.
P.O. BOX 64373
St. Paul, MN 55164

LIEBERMAN RESEARCH WORLDWIDE
1900 AVENUE OF THE STARS, 15TH
Los Angeles, CA 90067

MATRIX MEDIA SERVICES, INC.
463 EAST TOWN STREET SUITE 200
Columbus, OH 43215

MC Q CLEAN, LLC
4076 FISHER ROAD
Columbuia, OH 43228

MILLER'S TEXTILE SERVICES
P.O. BOX 239
Wapakoneta, OH 45895

MONROE MECHANICAL INC.
P.O. BOX 380
Monroe, OH 45050

NATIONAL FIRE SERVICES
1425 TRI-STATE PKWY SUITE 160
Gurnee, IL 60031

OHIO DEPT OF TAXATION
PO BOX 530
Columbus, OH 43216

PA DEPT OF REVENUE
BUREAU OF COLLECTIONS AND TAXPAYER SERVI
PO BOX 281041
Harrisburg, pa 17128

PC MALL
FILE 55327
Los Angeles, CA 90074

SIGNCOM INC.
527 WEST RICH STREET
Columbus, oh 43215

STATE OF MICHIGAN REVENUE
MICHIGAN DEPARTMENT OF TREASURY
PO BOX 30199
Lansing, MI 48909

SYSCO CENTRAL WAREHOUSE
P.O. BOX 201276
Dallas, tx 75320

UNIFIRST CORPORATION
1150 SECOND AVENUE
New Kensington, PA 15068